

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at GREENEVILLE

JOSEPH BEARD

v.

UNITED STATES OF AMERICA

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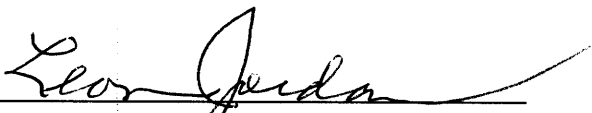
2:13-cv-195; 2:09-cr-12(1)  
*Jordan/Inman*

**JUDGMENT ORDER**

In accordance with the accompanying memorandum, petitioner's motion and supplemental motion to vacate, set aside, or correct a sentence filed under 28 U.S.C. § 2255, [Docs. 89 and 92], are **DENIED** as untimely, and this case is **DISMISSED**. For reasons stated in the memorandum, should petitioner give timely notice of an appeal from this order, such notice will be treated as an application for a certificate of appealability, which is hereby **DENIED**, given his failure to make a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(2); Fed. R. App. P. 22(b).

**SO ORDERED.**

**ENTER:**

  
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LEON JORDAN  
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

s/ Debra C. Poplin

CLERK OF COURT